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08/966,985	11/10/1997	JEFFREY JACOBSEN	KPN96-03A8	6374

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EXAMINER
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PIZIALI, JEFFREY J

ART UNIT	PAPER NUMBER
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2629

MAIL DATE	DELIVERY MODE
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05/16/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 08/966,985	<b>Applicant(s)</b> JACOBSEN ET AL.	
	<b>Examiner</b> Jeff Piziali	<b>Art Unit</b> 2629	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 March 2007 and 29 November 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20, 22-27 and 37-39 is/are pending in the application.
- 4a) Of the above claim(s) 9, 11, 17, 19 and 20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10, 12-16, 18, 22-27 and 37-39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 November 1997 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Election/Restrictions*

1. Applicants' election of Species II (i.e., claims 1-8, 10, 12-16, 18, 22-27, and 37-39) in the reply filed on 1 March 2007 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).
2. Claims 9, 11, 17, 19, and 20 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 1 March 2007.
3. Applicants are reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-4 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wilska et al. (UK - 2,289,555) in view of Takahara et al. (US 5,436,635).

Regarding claim 1, Wilska discloses a portable communications device having a reflective display comprising a device housing [Fig. 1, 1] having a wireless receiver [Fig. 1, 18]; a display [Fig. 1, 9] having an array of pixel electrodes; a display control circuit [Fig. 3, 6] positioned in the housing and connected to the wireless receiver and the matrix display such that image data that is received by the receiver is input to the display control circuit, which generates a display signal to drive the matrix display to render the image (see Page 3, Paragraph 8 - Page 6, Paragraph 1). Wilska does not expressly disclose an active matrix display, a light emitting diode, an optical coupler, and a power management circuit.

However, Takahara does disclose an active matrix display [Fig. 21, 214] having an active matrix circuit [Fig. 11; T<sub>mn</sub>] and an array of pixel electrodes [Fig. 11; P<sub>mn</sub>], the active matrix circuit capable of storing charge between vertical synchronization signals (see Column 20, Lines 26-51); a light emitting diode light source [Fig. 21, 211] optically coupled to illuminate the matrix display for illuminating the image; and an optical coupler [Fig. 21, 213] that couples light from the light source onto the matrix display and the reflected light toward a viewer (see Column 28, Lines 30-49 and Column 33, Lines 22-28), and a power management circuit [Fig. 22, 223]

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that lowers the power consumption of the control circuit [Fig. 22, 225] between vertical synchronization signals (see Column 31, Lines 16-63), the power management circuit [Fig. 22, 223] arranged for receiving control signals [i.e. pulse width variable signals from the 'variable resistor' (which is not illustrated), and the circuit within the light emitting tube power supply for modulating the anode voltage with a pulse signal (which is also not explicitly illustrated)] for lowering the power consumption, the control signals resulting from signals from a display control circuit [Fig. 22, the combined circuitry of the reproduction circuit (225), variable resistor (which is not illustrated), and the circuit within the light emitting tube power supply for modulating the anode voltage with a pulse signal (which is also not explicitly illustrated)] that are initiated by the display control circuit (see Column 31, Lines 16-63).

Wilska and Takahara are analogous art because they are from the field of portable communications devices. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of the invention, to utilize Takahara's active matrix display, LED light source, optical coupler assembly, and power management circuit with Wilska's communication device, so as to provide a high quality and energy efficient liquid crystal image that's easy to see (and read) in both dark and bright light.

Regarding claim 2, Takahara discloses reflective pixel electrodes (see Column 7, Lines 50-56) and further comprising a transistor circuit formed with single crystal silicon [Fig. 18A, 167c] associated with each pixel electrode (see Column 24, Line 35 - Column 25, Line 59).

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Regarding claim 3, Takahara discloses a color sequential display circuit (see Fig. 15; Column 23, Lines 12-37).

Regarding claim 4, Takahara discloses a switching circuit [Fig. 1, 11-14] connected to a counterelectrode panel of the matrix display for switching the applied voltage to the counterelectrode panel (see Column 13, Lines 20-65).

Regarding claim 37, Takahara discloses the power consumption of the control circuit being lowered without comparing sequential image data (see Column 31, Lines 16-63).

6. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wilska et al. (UK - 2,289,555) in view of Takahara et al. (US 5,436,635) as applied to claim 3 above, and further in view of Shigeta et al. (US 5,394,204).

Regarding claim 5, neither Wilska nor Takahara expressly disclose a dichroic prism. However, Shigeta discloses a dichroic prism [Fig. 9, 63] (see Column 1, Lines 14-39). Wilska, Takahara, and Shigeta are analogous art because they are from the field of matrix display systems. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of the invention, to utilize Shigeta's prism system with Wilska's and Takahara's combined communications device to provide a large-sized color image.

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7. Claims 6-8, 10, 12-16, 18, 22-27, 38, and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wilska et al. (UK - 2,289,555) in view of Takahara et al. (US 5,436,635), Shigeta et al. (US 5,394,204), and Yagyu (US 5,856,814).

Regarding claim 6, this claim is rejected by the reasoning applied in the above rejection of claims 1, 3, and 5; furthermore, Wilska discloses a battery [Fig. 3, 3]. None of Wilska, Takahara, and Shigeta expressly disclose the light source being three light emitting diodes of three distinct colors. However, Yagyu discloses a light source [Fig. 10, 104] that is three light emitting diodes [Fig. 10, EDR, EDG and EDB] of three distinct colors (see Column 8, Lines 19-47). Wilska, Takahara, Shigeta, and Yagyu are all analogous art because they are from the field of liquid crystal displays. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of the invention, to utilize Yagyu's three light emitting diodes system as Wilska's, Takahara's, and Shigeta's combined light source, so as to provide a color display for easy viewing.

Regarding claims 7 and 15, Takahara discloses a diffuser (see Column 4, Lines 14-46).

Regarding claim 8, Shigeta discloses at least one dichroic mirror [Fig. 10, 56-59] for directing the light from one light emitting diode and allowing light from another light emitting diode to pass through (see Column 1, Lines 14-39 and Column 7, Lines 3-15).

Regarding claims 10 and 18, Wilska discloses a telephone [Fig. 3, 17] (see Page 5, Paragraph 3).

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Regarding claim 12, this claim is rejected by the reasoning applied in the above rejection of claims 1, 2, 5, and 6.

Regarding claims 13 and 23, this claim is rejected by the reasoning applied in the above rejection of claim 3.

Regarding claim 14, while Wilska does not expressly disclose an array of at least 640 x 480 pixel electrodes, Wilska does disclose providing a resolution greater than 640 x 200 pixels<sup>2</sup> (see Page 4, Paragraph 2). Therefore, for the purpose of providing a precise display image, it would have been additionally obvious to an artisan at the time of invention to utilize 640 x 480 pixel electrodes.

Regarding claims 16 and 22, Shigeta discloses a pair of dichroic mirrors [Fig. 10, 56-59], each mirror for directing the light from one light emitting diode and allowing light from at least another light emitting diode to pass through (see Column 1, Lines 14-39 and Column 7, Lines 3-15).

Regarding claim 24, this claim is rejected by the reasoning applied in the above rejection of claim 4.



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Regarding claim 25, this claim is rejected by the reasoning applied in the above rejection of claim 6.

Regarding claim 26, this claim is rejected by the reasoning applied in the above rejection of claim 8.

Regarding claim 27, Yagyu discloses the three light emitting diodes are flashed concurrently to emit white light (see Column 8, Lines 19-47).

Regarding claim 38, this claim is rejected by the reasoning applied in the above rejection of claim 37.

Regarding claim 39, this claim is rejected by the reasoning applied in the above rejection of claim 37.

8. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

***Response to Arguments***

9. Applicants' arguments filed 29 November 2006 have been fully considered but they are not persuasive. The applicants contend the cited prior art of Takahara et al (US 5,436,635) neglects teaching a "power management circuit arranged for receiving control signals for lowering the power consumption, the control signals resulting from signals from the display control circuit that are initiated by the display control circuit," as recited by the independent claims 1, 6, and 12 (see page 8 of the Amendment filed 11 April 2006). However, the examiner respectfully disagrees.

Takahara explains, *"To the light emitting tube is applied a voltage from a light emitting tube power supply circuit 223. The light emitting tube power supply circuit 223 supplies a heater voltage of 2.5 V and an anode voltage of 18 V to the light emitting tube 211. Both the voltages are DC voltages. The light emitting tube power supply circuit has a circuit for modulating the anode voltage with a pulse signal. The pulse signal cycle is 60 Hz. By using the pulse signal as the voltage applied to the anode, the quantity of light emitted from the light emitting tube 211 can be varied in proportion to the pulse width. The pulse width can be continuously varied from 0 (0%) to 1/1 (100%) by rotating a variable resistor provided at the video camera"* (see Column 31, Lines 27-41 -- with emphasis added by the examiner).

A circuit is commonly defined as a closed path capable of being followed by an electric current -- or in other words, a configuration of electrically connected devices. As clearly indicated by Takahara's Figure 22, with the "display control circuit" taken as the combination of Takahara's reproduction circuit [225], the variable resistor (which is not illustrated), and the

circuit within the light emitting tube power supply for modulating the anode voltage with a pulse signal (which is also not explicitly illustrated), Takahara clearly teaches "lowering the power consumption wherein the control signals resulting from signals from the display control circuit that are initiated by the display control circuit."

The applicants take the position that Takahara's implementation of a user adjustable variable resistor to alter pulse width signals controlling the quantity of light emitted from the display's backlight precludes teaching a "power management circuit arranged for receiving control signals for lowering the power consumption, the control signals resulting from signals from the display control circuit that are initiated by the display control circuit." However, the examiner respectfully disagrees.

Takahara clearly does disclose a power management circuit [Fig. 22, 223] arranged for receiving control signals [i.e. pulse width variable signals from the 'variable resistor' (which is not illustrated), and the circuit within the light emitting tube power supply for modulating the anode voltage with a pulse signal (which is also not explicitly illustrated)] for lowering the power consumption, the control signals resulting from signals from the display control circuit [Fig. 22, the combined circuitry of the reproduction circuit (225), variable resistor (which is not illustrated), and the circuit within the light emitting tube power supply for modulating the anode voltage with a pulse signal (which is also not explicitly illustrated)] that are initiated by the display control circuit (see Column 31, Lines 16-63).

If the applicants continue to feel their invention reduces power consumption differently than Takahara's device, the applicants are respectfully encouraged to incorporate such distinctive subject matter into the pending claim language. The applicants appear to be insinuating that the

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instant invention's *initiation* of "signals" which result in "control signals" for lowering power consumption somehow differs from the cited prior art of Takahara. However, the examiner respectfully notes that Takahara's 'variable resistor' clearly generates (pulse width variable type) "signals" which result in (anode voltage modulating pulse) "control signals" for lowering display power consumption.

By such reasoning, rejection of the claims is deemed necessary, proper, and thereby maintained at this time.

### ***Conclusion***

10. Applicants' amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeff Piziali whose telephone number is (571) 272-7678. The examiner can normally be reached on Monday - Friday (6:30AM - 3PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached on (571) 272-7681. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Jeff Piziali  
11 May 2007